

**UNITED STATES COURT OF APPEALS
FOR THE EIGHTH CIRCUIT**

No: 22-2860

The Estate of Donald Nash, Theresa Nash as personal representative; Theresa Nash

Plaintiffs - Appellees

v.

Henry James Folsom; Scott Mertens; Ruth Montgomery; Dorothy Taylor

Defendants - Appellants

Appeal from U.S. District Court for the Eastern District of Missouri - St. Louis
(4:21-cv-00495-JCH)

JUDGMENT

Before SMITH, Chief Judge, MELLOY, and ERICKSON, Circuit Judges.

This appeal from the United States District Court was submitted on the record of the district court, briefs of the parties and was argued by counsel.

After consideration, it is hereby ordered and adjudged that the denial of qualified immunity on Count I is affirmed. The denial of qualified immunity on Count VII is reversed. Counts II, III, and V are dismissed for want of jurisdiction. The case is remanded to the district court for further proceedings consistent with the opinion of this court.

February 09, 2024

Order Entered in Accordance with Opinion:
Clerk, U.S. Court of Appeals, Eighth Circuit.

/s/ Michael E. Gans